

Electronically Filed November 19, 2021

BRETT A. AXELROD, ESQ.
Nevada Bar No. 5859
NICHOLAS A. KOFFROTH, ESQ.
Application for Appearance *Pro Hac Vice* Pending
FOX ROTHSCHILD LLP
1980 Festival Plaza Drive, Suite 700
Las Vegas, Nevada 89135
Telephone: (702) 262-6899
Facsimile: (702) 597-5503
Email: baxelrod@foxrothschild.com
nkoffroth@foxrothschild.com
Counsel for W. Lawrence Patrick

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

SILVER STATE BROADCASTING, LLC,

- ☐ Affects Silver State Broadcasting, LLC
☐ Affects Golden State Broadcasting, LLC
☐ Major Market Radio, LLC
☒ Affects all Debtors

Case No. BK-21-14978-abl

Jointly Administered with:

Case No. BK-S-21-14979-abl

Case No. BK-S-21-14980-abl

Chapter 11

**RECEIVER'S *EX PARTE*
APPLICATION TO EXCEED THE
PAGE LIMIT ON ITS EMERGENCY
MOTION TO EXCUSE TURNOVER IN
FAVOR OF RECEIVER AND TO
DISMISS/ABSTAIN, OR,
ALTERNATIVELY, FOR STAY RELIEF
AND/OR CONVERSION**

W. Lawrence Patrick (the "Receiver"), the receiver of substantially all of the assets of the above-captioned the debtors and debtors-in-possession (collectively, the "Debtors"),¹ hereby submits this *ex parte* application (the "Application") for entry of an order authorizing the Receiver to exceed the page limit on the Receiver's proposed *Emergency Motion to Excuse Turnover in Favor of Receiver*

¹ The Debtors are Silver State Broadcasting, LLC ("Silver State"), Golden State Broadcasting, LLC ("Golden State"), and Major Market Radio, LLC ("Major Market").

1 *and to Dismiss/Abstain, or, Alternatively, for Stay Relief and/or Conversion* (the “Motion”), pursuant
 2 to Local Rule 9014(e)(1).

3 By this Application, the Receiver requests an additional ten (10) pages beyond the 20-page
 4 limit for motions set forth in Local Rule 9014(e)(1). As the Court is aware, the receivership relevant
 5 to the Motion spans nearly a decade of litigation with substantial relevant background information
 6 for the Court’s fulsome consideration of the relief requested in the Motion. The record is lengthy and
 7 the Debtors (and their principal) have been particularly litigious. Indeed, the record includes no fewer
 8 than six sanctions and contempt orders against the Debtors’ principal (including one ultimately
 9 leading to the principal’s detention), which are highly probative to the issues raised in the Motion.
 10 The Receiver has taken pains to remain as succinct as possible while still providing relevant history
 11 concerning the status of the receivership.

12 Further, the Receiver will present several alternative requests for relief in the Motion on a
 13 consolidated basis in the interest of preserving judicial resources. The Motion will request entry of
 14 an order: (i)(a) excusing the Receiver from the turnover provisions of § 543 of title 11 of the United
 15 States Code (the “Bankruptcy Code”),² and (b) dismissing the above-captioned bankruptcy cases (the
 16 “Bankruptcy Cases”) or abstaining from hearing the Bankruptcy Cases, pursuant to §§ 1112(b) and
 17 305(a), respectively; or, alternatively, (ii)(a) terminating the automatic stay as to the Receiver,
 18 pursuant to § 362(d), or (b) converting the Bankruptcy Cases to cases under chapter 7 of the
 19 Bankruptcy Code, pursuant to § 1112(b); and (iii) granting the Receiver such other and further relief
 20 as is just and appropriate under the circumstances. Though the relief is admittedly wide-ranging, each
 21 request for relief is premised on identical facts and circumstances and each request is appropriately
 22 considered collectively at the outset of these Bankruptcy Cases. Accordingly, the Receiver
 23 respectfully submits that a single, consolidated Motion with slightly larger page allowance will better
 24 serve the interests of judicial economy than several lengthy motions reciting similar factual
 25 allegations seeking the proposed alternative forms of relief.

26
 27
 28 ² Unless otherwise set forth herein, all references to “Section” and “§” are to sections of the Bankruptcy Code.

1 The Receiver will request a shortened notice hearing on the Motion; however, it only seeks
 2 shortened notice for the purpose of being heard contemporaneously with the Debtors' *Emergency*
 3 *Joint Motion for Order Directing Court Appointed Receiver to Turnover Property Pursuant to 11*
 4 *U.S.C. §§ 543(a) and (b)* [Docket No. 30] (the "Turnover Motion"). Counsel to the Debtors and the
 5 Receiver jointly agreed to hear the Turnover Motion and Motion contemporaneously, subject,
 6 however, to the Court's availability to consider these case-determinative motions.

7 Wherefore, the Receiver respectfully requests that the Court enter an Order, substantially in
 8 the form of the proposed order attached hereto as **Exhibit "A,"** granting the Receiver leave to file the
 9 Motion not to exceed thirty (30) pages, and granting such other and further relief as is just and proper.

10 Dated this 19th day of November, 2021.

11 **FOX ROTHSCHILD LLP**

12 By s/Brett A. Axelrod
 13 BRETT A. AXELROD, ESQ.
 Nevada Bar No. 5859
 14 NICHOLAS A. KOFFROTH, ESQ.
Pro Hac Vice Application Pending
 15 1980 Festival Plaza Drive, Suite 700
 Las Vegas, Nevada 89135
 16 *Counsel for W. Lawrence Patrick*

FOX ROTHSCHILD LLP
 1980 Festival Plaza Drive, Suite 700
 Las Vegas, Nevada 89135
 (702) 262-6899
 (702) 597-5503 (fax)

EXHIBIT A

FOX ROTHSCHILD LLP
1980 Festival Plaza Drive, Suite 700
Las Vegas, Nevada 89135
(702) 262-6899
(702) 597-5503 (fax)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOX ROTHSCHILD LLP
1980 Festival Plaza Drive, Suite 700
Las Vegas, Nevada 89135
(702) 262-6899
(702) 597-5503 (fax)

BRETT A. AXELROD, ESQ.
Nevada Bar No. 5859
NICHOLAS A. KOFFROTH, ESQ.
Application for Appearance *Pro Hac Vice* Pending
FOX ROTHSCHILD LLP
1980 Festival Plaza Drive, Suite 700
Las Vegas, Nevada 89135
Telephone: (702) 262-6899
Facsimile: (702) 597-5503
Email: baxelrod@foxrothschild.com
nkoffroth@foxrothschild.com
Counsel for W. Lawrence Patrick

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re

SILVER STATE BROADCASTING, LLC,

- ☐ Affects Silver State Broadcasting, LLC
☐ Affects Golden State Broadcasting, LLC
☐ Major Market Radio, LLC
☒ Affects all Debtors

Case No. BK-21-14978-abl

Jointly Administered with:

Case No. BK-S-21-14979-abl

Case No. BK-S-21-14980-abl

Chapter 11

ORDER GRANTING RECEIVER'S *EX PARTE* APPLICATION TO EXCEED THE PAGE LIMIT ON ITS EMERGENCY MOTION TO EXCUSE TURNOVER IN FAVOR OF RECEIVER AND TO DISMISS/ABSTAIN, OR, ALTERNATIVELY, FOR STAY RELIEF AND/OR CONVERSION

The Court, having reviewed and considered the Receiver's *Ex Parte Application to Exceed the Page Limit on Its Emergency Motion to Excuse Turnover in Favor of Receiver and to Dismiss/Abstain, or, Alternatively, for Stay Relief and/or Conversion* (the "Application")³ on the Receiver's *Emergency Motion to Excuse Turnover in Favor of Receiver and to Dismiss/Abstain, or, Alternatively, for Stay Relief and/or Conversion* (the "Motion"), in excess of the twenty (20) page limit, and good cause appearing therefor:

IT IS HEREBY ORDERED that the Application is **GRANTED**, and the Receiver may submit the Motion in excess of excess of the twenty (20) page limit up to a maximum of ten (10) additional pages, for a total of up to thirty (30) pages.

IT SO ORDERED.

Prepared and Submitted By:

FOX ROTHSCHILD LLP

By /s/ Brett. A. Axelrod
 BRETT A. AXELROD
 Nevada Bar No. 5859
 NICHOLAS A. KOFFROTH, ESQ.
Pro Hac Vice Application Pending
 1980 Festival Plaza Drive, Suite 700
 Las Vegas, Nevada 89135
Counsel for W. Lawrence Patrick

###

³ Capitalized terms not defined herein have the meanings assigned to them in the Application.